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Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

**HOLLISTER CONSTRUCTION SERVICES, LLC,<sup>1</sup>**

Debtor.

Chapter 11

Case No. 19-27439 (MBK)

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON DECEMBER 12, 2019 AT 10:00 A.M. (ET)**

**CONTINUED MATTERS**

1. Motion of the Official Committee of Unsecured Creditors to Compel Hollister Construction Services, LLC and Paul Belair to Comply with Rule 2004 Subpoenas [Docket No. 395; Filed 10/31/19]

**Related Documents:**

- a) Certificate of Service [Docket No. 414; Filed 11/5/19]
- b) Determination of Adjournment Request (Granted) [Docket No. 490; Filed 11/12/19]
- c) Determination of Adjournment Request (Granted) [Docket No. 604; Filed 12/5/19]

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<sup>1</sup> The Debtor in this chapter 11 case and the last four digits of its taxpayer identification number is: Hollister Construction Services, LLC (5404).

Objection Deadline: November 14, 2019 at 4:00 p.m. (ET). Debtor's objection deadline is adjourned.

Responses Received:

d) None.

Status: This matter is adjourned to December 19, 2019 at 10:00 a.m.

2. Motion to Remand State Court Action to the Superior Court of New Jersey, Or, In The Alternative, Abstaining From Exercising Jurisdiction Over the State Court Action (the "Newark Warehouse Remand Motion") [Docket No. 473; Filed 11/8/19]

Related Documents:

- a) Determination of Adjournment Request (Granted) [Docket No. 605; Filed 12/5/19]

Objection Deadline: Originally, December 5, 2019 at 4:00 p.m. (ET), extended to January 16, 2019 at 4:00 p.m. (ET)

Responses Received:

b) None.

Status: This matter has been adjourned to January 23, 2020 at 10:00 a.m.

### **CONTESTED MATTERS GOING FORWARD**

3. Motion of Herc Rentals, Inc. For Entry Of An Order (1) Lifting The Automatic Stay Pursuant To 11 U.S.C. §362 and (2) Permitting Herc Rentals, Inc. To Remove Its Property From Various Projects ("Herc Stay Relief Motion") [Docket No. 368; Filed 10/23/19], with respect to the FDU Pedestrian Bridge, Latitude, and Hub projects, and the Rutgers Fuel Tank, only.

Related Documents:

- a) Certificate of Service filed by Herc Rentals, Inc. [Docket No. 423; Filed 11/6/19]
- b) Certificate of Service filed by Arch Insurance Company and Arch Reinsurance Company [Docket No. 462; Filed 11/8/19]

Objection Deadline: Originally, November 8, 2019 at 5:00 p.m. (ET) and extended for the Debtor to November 14, 2019 at 10:00 a.m. (ET)

Responses Received:

- c) Limited Objection And Reservation Of Rights By Arch Insurance Company And Arch Reinsurance Company to Herc Stay Relief Motion

[Docket No. 462; Filed 11/7/19]

- d) Debtor's Limited Objection to Herc Stay Relief Motion [Docket No. 503; Filed 11/14/19]

Status: This portion of the Herc Stay Relief Motion was adjourned from the 11/15/19 hearing. This matter is going forward.

- 4. Motion of 360 Fire Prevention LLC For Relief from Stay (the "360 Stay Relief Motion") [Docket No. 464; Filed 11/8/19].

Related Documents:

- a) None.

Objection Deadline: December 5, 2019 at 4:00 p.m. (ET).

Responses Received:

- b) Life Town Inc. Brief in Opposition to 360 Stay Relief Motion [Docket No. 608; Filed 12/5/19]
- c) Debtor's Objection to 360 Stay Relief Motion [Docket No. 609; Filed 12/5/19]

Status: This matter is going forward.

- 5. Motion of Joffe Lumber & Supply Co., Inc. For An Order (I) Confirming That The Automatic Stay Does Not Apply To (A) The General Contract For The Vestry Project And The Vestry Project, (B) Joffe Lumber & Supply Co., Inc.'s Entry Into A Contract With The Vestry Project Owner To Provide Construction Services On The Vestry Project; And (II) Terminating The Automatic Stay As To Joffe Lumber & Supply Co., Inc. For Cause Pursuant To 11 U.S.C. 362(D)(1) In Connection With The Accordia Project (the "Joffe Stay Relief Motion") [Docket No. 248; Filed 10/4/19].

Related Documents:

- a) Certificate of Service [Docket No. 252, Filed 10/04/19]
- b) Certification in Support of Joffe Stay Relief Motion filed by 147 Bloomfield Ave J.V. LLC [Docket No. 426; Filed 11/6/19]
- c) Interim Order Denying Joffe Stay Relief Motion in Connection with the Accordia Project and Scheduling a Final Hearing [Docket No. 521; Entered 11/15/19]
- d) Transcript of Hearing held on 11/15/19 [Docket No. 577; Filed 11/25/19]

Objection Deadline: October 24, 2019 at 12:00 p.m. [ET]

Responses Received:

- e) Debtor's Objection to Joffe Stay Relief Motion [Docket No. 407; Filed 11/5/19]
- f) Cross-Motion Seeking Determination that Joffe Lumber & Supply Co., Inc. does not Hold a Perfected Lien Against the Vestry Property and Compelling Discharge of Lien filed by 147 Bloomfield Ave., J.V. LLC ("147 Bloomfield Ave. Cross-Motion") [Docket No. 535; Filed 11/18/19; Withdrawn at Docket No. 617; Filed 12/9/19]
- g) Response of Joffe Lumber & Supply Co., Inc. in Opposition to 147 Bloomfield Ave. Cross-Motion [Docket No. 586; Filed 11/27/19]

Status: This matter is going forward.

- 6. Debtor's Motion For Entry of Interim And Final Orders (A) Authorizing Use Of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling A Final Hearing, And (D) Granting Related Relief [Docket No. 14; Filed 9/11/19].

Related Documents:

- a) Application for Expedited Consideration of First Day Matters [Docket No. 16; Filed 9/11/19]
- b) Order regarding Debtor's Application for Expedited Consideration of First Day Matters [Docket No. 20; Entered 9/11/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 47; Filed 9/13/19]
- d) First Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 90; Entered 9/16/19]
- e) Affidavit of Service filed by Prime Clerk LLC [Docket No. 128; Filed 9/20/19]
- f) Notice of Filing of Proposed Second Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and, (IV) Granting Related Relief [Docket No. 147; Filed 9/23/19]
- g) Second Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and, (IV) Granting Related Relief [Docket No. 158; Entered 9/25/19]
- h) Affidavit of Service filed by Prime Clerk LLC [Docket No. 164; Filed 9/25/19]

- i) Affidavit of Service filed by Prime Clerk LLC [Docket No. 194; Filed 9/30/19]
- j) Third Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and, (IV) Granting Related Relief [Docket No. 219; Entered 10/2/19]
- k) Notice of Filing of Proposed Fourth Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 267; Filed 10/7/19]
- l) Fourth Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 338; Entered 10/17/19]
- m) Fifth Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 359; Entered 10/22/19]
- n) Sixth Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 463; Entered 11/8/19]
- o) Affidavit of Service filed by Prime Clerk LLC [Docket No. 500; Filed 11/13/19]
- p) Seventh Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 556; Entered 11/21/19]

Objection Deadline: N/A.

Responses Received:

- q) Arch Insurance Company and Arch Reinsurance Company's Limited Objection to Limited Objection to Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 32; Filed 9/12/19]
- r) Jordan Electric Inc.'s Limited Objection to Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 72; Filed 9/15/19]
- s) Delcon Builders, Inc. and Pentel Drywall, Inc.'s Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 73; Filed

9/15/19]

- t) Sparwick Contracting Inc.'s Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 86; Filed 9/16/19]
- u) 10 Minerva Place, L.P. and 10 Minerva Place Housing Development Fund Corporation's Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 141; Filed 9/23/19]
- v) 5 Bay Street Phase 1 LLC, 5 Bay Street Phase 1 Sponsor Member Inc. and 5 Bay Street Phase 3 LLC's Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 142; Filed 9/23/19]
- w) Delcon Builders, Inc. and Pentel Drywall, Inc.'s Supplemental Objection and Reservation of Rights To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 143; Filed 9/23/19]
- x) Nomad Framing Inc.'s Objection and Reservation of Rights to Debtor's Continued Motion for Use of Cash Collateral [Docket No. 179; Filed 9/27/19]
- y) DeSesa Engineering Company, Inc.'s Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 211; Filed 10/2/19]
- z) Objection and Reservation of Rights By Nomad Framing LLC with Respect to Debtor's Fourth Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral; (B) Granting Adequate Protection; (C) Scheduling Final Hearing; And (D) Granting Related Relief [Docket No. 268; Filed 10/7/19]

Status: This matter is going forward.

#### **UNCONTESTED MATTERS GOING FORWARD**

7. Stateline Fabricators, LLC's Motion to Modify Stay to Permit Commencement and Prosecution of Construction Lien Claim Foreclosure Actions (the "Stateline Stay Relief Motion") [Docket No. 545; Filed 11/20/19].

Related Documents:

- a) Certificate of Service [Docket No. 615; Filed 12/9/19]

Objection Deadline: Originally, November 28, 2019 at 4:00 p.m. (ET), extended for the Debtor to December 10, 2019 at 12:00 p.m. (ET).

Responses Received:

- b) None.

Status: The Debtor and Stateline Fabricators, LLC submitted a proposed form of order resolving the Stateline Stay Relief Motion, in a form acceptable to Arch Insurance Company and Arch Reinsurance Company, to Chambers by e-mail on December 10, 2019.

- 8. Motion to Reject Certain Executory Contracts and Leases, and Enter Into a Lease Agreement [Docket No. 563; Filed 11/21/19]

Related Documents:

- a) Affidavit of Service [Docket No. 588; Filed 11/27/19]

Objection Deadline: December 5, 2019 at 4:00 p.m. (ET).

Responses Received:

- b) None.

Status: This matter is going forward.

- 9. Motion of Interlink Transport Technologies, Inc. (dba MSC Technology (North America) Inc.) for Entry of an Order (I) Granting It Relief from the Automatic Stay to Terminate Construction Contract, or in the Alternative, (II) Compelling the Debtor to Immediately Reject the Construction Contract (the “Interlink Stay Relief Motion”) [Docket No. 591; Filed 12/2/19]

Related Documents:

- a) Application for Order Shortening Time on the Interlink Stay Relief Motion [Docket No. 592; Filed 12/2/19]
- b) Order Granting Application to Shorten Time on the Interlink Stay Relief Motion [Docket No 593; Entered 12/2/19]
- c) Certificate of Service [Docket No. 595; Filed 12/2/19]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

d) None received to date.

Status: This matter is going forward

10. Motion to Reject Certain Executory Contracts and Unexpired Leases [Docket No. 599; Filed 12/3/19]

Related Documents:

- a) Application for Order Shortening Time [Docket No. 600; Filed 12/3/19]
- b) Order Granting Application to Shorten Time [Docket No. 601; Entered 12/4/19]
- c) Affidavit of Service [Docket No. 620; Filed 12/9/19]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

d) None received to date.

Status: This matter is going forward.

11. Debtor's Motion For Interim And Final Orders (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II) Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 8; Filed 9/11/19].

Related Documents:

- a) Application for Expedited Consideration of First Day Matters [Docket No. 16; Filed 9/11/19]
- b) Order Regarding Debtor's Application for Expedited Consideration of First Day Matters [Docket No. 20; Entered 9/11/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 47; Filed 9/13/19]
- d) Interim Order (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II) Authorizing And Directing Banks To Honor Checks And



Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 102; Entered 9/18/19]

- e) Supplement to Debtor's Motion for Interim and Final Orders (I) Authorizing but not Directing the Debtor to (A) Pay Pre-Petition Wages, Salaries, and Related Obligations, (B) Pay and Remit Pre-Petition Payroll Taxes and Other Deductions to Third Parties, and (C) Honor Employee Benefit Programs in the Ordinary Course of Business; (II) Authorizing and Directing Banks to Honor Checks and Transfers for Payment of Pre-Petition Employee Obligations; and (III) Granting Related Relief [Docket No. 126; Filed 9/20/19]
- f) Affidavit of Service filed by Prime Clerk LLC [Docket No. 148; Filed 9/23/19]
- g) Affidavit of Service filed by Prime Clerk LLC [Docket No. 159; Filed 9/25/19]
- h) Declaration of Brendan Murray in Support of Supplement to Debtor's Motion for Interim and Final Orders (I) Authorizing, But Not Directing the Debtor to (A) Pay Pre-Petition Wages, Salaries, and Related Obligations, (B) Pay and Remit Pre-Petition Payroll Taxes and Other Deductions to Third Parties, and (C) Honor Employee Benefit Programs in the Ordinary Course of Business; (II) Authorizing and Directing Banks to Honor Checks and Transfers for Payment of Pre-Petition Employee Obligations; and (III) Granting Related Relief [Docket No. 332; Filed 10/16/19]
- i) Declaration of Matt Higgins in Support of Supplement to Debtor's Motion for Interim and Final Orders (I) Authorizing, But Not Directing the Debtor to (A) Pay Pre-Petition Wages, Salaries, and Related Obligations, (B) Pay and Remit Pre-Petition Payroll Taxes and Other Deductions to Third Parties, and (C) Honor Employee Benefit Programs in the Ordinary Course of Business; (II) Authorizing and Directing Banks to Honor Checks and Transfers for Payment of Pre-Petition Employee Obligations; and (III) Granting Related Relief [Docket No. 627; Filed 12/11/19]

Objection Deadline: October 1, 2019 at 4:00 p.m. (ET).

Responses Received:

- j) PNC Bank, National Association's Limited Objection To Debtor's Motion For Interim And Final Orders (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II) Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 205; Filed

10/1/19]

- k) Limited Objection of the Acting United States Trustee to the Supplement to the Debtor's Motion (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II) Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 207; Filed 10/1/19]
- l) Official Committee of Unsecured Creditors' Joinder in the Limited Objection of the Acting United States Trustee to the Supplement to the Debtor's Motion (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II) Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 244; Filed 10/4/19]

Status: This matter is going forward solely with respect to the Debtor's pending request to pay an independent contractor. The portion of the motion concerning American Express cards is adjourned to January 23, 2019.

Dated: December 11, 2019

**LOWENSTEIN SANDLER LLP**

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